

OFFICE OF THE GENERAL COUNSEL

MEMORANDUM GC 93-5

May 19, 1993

TO : All Regional Directors, Officers-in-Charge
and Resident Officers

FROM : Jerry M. Hunter, General Counsel

SUBJECT: Public Demonstrations

As you know, over the last several months there have been incidents at a number of field offices involving the unannounced arrival in our office space of large numbers of persons ostensibly seeking to protest Agency casehandling practices, but in reality seeking media coverage in support of labor law reform.

Demonstrations at 20 NLRB locations on May 27, 1993, have been advertised by certain organizations involved in the earlier activities. The identity of those locations has not been disclosed. Accordingly, every NLRB location: each regional, sub-regional and resident office, should undertake precautions as if a demonstration was anticipated at its location. In addition, it may be that all demonstrations will not occur on May 27, as announced. Therefore, preparations should be completed before May 27 and personnel should be on the alert for unusual activity immediately and remain so beyond May 27.

On May 11, 1993, a meeting between Federal Protective Service (FPS) and Agency officials was conducted to discuss contingency planning in anticipation of the announced demonstrations. A memorandum from FPS headquarters to FPS Regional Directors dated May 14, 1993 alerting them to the demonstrations, has issued to follow-up on that meeting. A copy of that memorandum is attached. Also attached is a list of FPS Regional Directors, their addresses and telephone numbers and the geographic areas under their jurisdictions. Lastly, a map is attached showing the location and jurisdiction of FPS Regional Control Centers. Emergency situations and/or criminal activities at NLRB locations may be reported to the appropriate FPS Regional Control Center on a 24-hour basis using the telephone number provided.

In recognition of the Agency's responsibility to the public and its obligation to provide secure work locations for its employees and consistent with its collective bargaining responsibilities, the attached memorandum,

"Agency Policy Concerning Public Demonstrations," was agreed to and executed by management and NLRBU representatives.

Please review the memorandum and undertake all action required therein as soon as possible. While none of the prior demonstrations have resulted in any injury to NLRB personnel, the safety of our employees during a demonstration is of primary importance in developing your plans. Please note that paragraph 18 requires that copies of the memorandum should be circulated to all employees and the NLRBU local by close of business, May 20, 1993.

Any questions regarding this memorandum or its attachments should be directed to your Assistant General Counsel.


Jerry M. Hunter

Attachments

cc: NLRBU

MEMORANDUM GC 93-5

AGENCY POLICY CONCERNING PUBLIC DEMONSTRATIONS

It is the Agency's policy to take reasonable steps to ensure the protection of employees including, if necessary, their relocation when hazards exist which may reasonably cause an actual impairment of health and safety.

1. As soon as you learn of the possibility of a demonstration, contact your Assistant General Counsel and coordinate subsequent action with the Division of Operations-Management.
2. It is very important that you immediately contact the Federal Protective Police as well as the local police to request their advice concerning the demonstration. If appropriate have the local police present during the demonstration. We have been informed that the Federal Protective Police will not maintain a presence until the demonstration begins.
3. Secure physical changes to the Regional Office space to prevent, to the extent possible, entry into interior space from the reception area without permission.
4. Meeting first with supervisors and then local union officials to discuss earlier incidents and provide guidance regarding appropriate response by employees.
5. Staff meetings in all Regions, Subregions and Resident Offices to communicate information regarding earlier incidents and to train personnel concerning appropriate responses to a hostile demonstration in their office space such as appropriate responses to verbal abuse, attacks on property, etc. Use no physical force to protect the office or equipment.
6. Any communication to the staff regarding the demonstration might properly include a recital of the actions taken by the General Counsel after the recent incidents to safeguard our employees, e.g., complaints to Joel Ax, General Counsel, ACTWU.
7. Training of personnel performing the reception function concerning appropriate actions to take if confronted with a group of protesters.
8. Training for managers regarding official Agency positions on demands for legislative change and changes in casehandling procedures.
9. Training employees on press contacts during and after an incident.

10. If advance warning of a demonstration is received, management should consider assigning away from the office, vulnerable employees or agents handling targeted cases.
11. Regional Director should, where appropriate, contact union officials participating in the demonstration to register complaints re: mistreatment of employees and/or disruption of Regional Office operations. Such discussions may include explaining the Region's position on cases which were the focus of the demonstration.
12. The Regional Director is to promptly forward to the Division of Operations-Management a report describing the demonstration and detailing any threats, assaults, etc., against Agency employees or damage to Agency property.
13. Building manager/landlords should be contacted and told about the demonstration.
14. Directors should, where appropriate, lock the door to keep demonstrators out of the offices if time permits. Also, it may be possible to lock the elevators so that they will not stop at the Regional Office floor.
15. Secure a conference room on another floor of the building to talk to demonstrators.
16. Review ACTWU cases in offices to see if likely to be raised by demonstrators.
17. If information is obtained which establishes a reasonable belief that the demonstration will prevent employees from performing their regularly assigned duties or endanger their personal safety, employees will be allowed to leave their work areas during the demonstration and such time will be considered administrative leave. It is understood that every effort will be made to keep the Regional Office open.
18. A copy of this memo shall be faxed to all Regional Directors, Officers-in-Charge, and Resident Officers by close of business 5/20/93. The foregoing management officials shall circulate a copy to all employees and to the NLRBU local.

MAY 14 1993

MEMORANDUM FOR DIRECTORS

FEDERAL PROTECTIVE SERVICE DIVISION - 2PS, 3PS,
4PS, 5PS, 6PS, 7PS, 8PS, 9PS, 10PS, WPS

FROM:

JAMES C. CULLEN [S]
DIRECTOR, OPERATIONS DIVISION
OFFICE OF PHYSICAL SECURITY AND
LAW ENFORCEMENT - PSO

SUBJECT:

Security Alert

On May 11, 1993, a meeting was held with staff members of the National Labor Relations Board (NLRB) to discuss contingency plans relative to the security and protection of NLRB facilities on a nationwide bases during upcoming demonstrations. Ms. Yvonne Dixon, Assistant General Counsel, Ms. Gloria J. Joseph, Director of Administration, Mr. William Stack, Associate General Counsel, Mr. Eugene Lott, Jr., Investigator/Security Specialist, Mr. Fred T. Herring, Chief, Law Enforcement Branch and myself were in attendance.

During this meeting, the Office of Physical Security and Law Enforcement (PS) was advised that on May 27, 1993, members of the Amalgamated Clothing and Textile Workers Union was planning to hold demonstrations at NLRB facilities in 20 cities across the country. On May 5, 1993, this group held a demonstration at NLRB Headquarters, 1717 Pennsylvania Ave., NW., Washington, DC. Mr. Jesse Jackson participated in the demonstration. Mr. Jackson and 24 labor leaders and activists were arrested after occupying the lobby, becoming very loud and blocking the egress and ingress of the employees. The demonstrators were demanding better protection for workers who are fired for union organizing.

Even though target facilities have not been identified, a security alert is advised. Your operations personnel should remain alert to possible demonstrations occurring at NLRB facilities which are under the charge and control of the General Services Administration. Any unusual occurrences should be reported and evaluated for further dissemination locally and to this office.

Each region should continue close liaison with local law enforcement and NLRB directors to coordinate the appropriate action in providing safety and protection when demonstrations does occur. A list of the NLRB directors is attached for your use during the tactical planning stage.

Attachment

cc: Official Files, PS, R/F, PSO, PSR(info), PSO(herring)

PSO:FHERRING:501-4655:5/13/93

ID2:herring:kn:nlrbr/advisory:46D6

REGIONAL DIRECTORS
GSA, FEDERAL PROTECTIVE SERVICE DIVISION

<u>REGION</u>	<u>NAMES, ADDRESSES, ETC.</u>	<u>GEOGRAPHICAL AREAS OF RESPONSIBILITY</u>
2	John A. Ulianko 26 Federal Plaza, Room 17-130 New York, NY 10278 (212) 264-4255	Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Puerto Rico, U.S. Virgin Islands and Vermont
3	Peter Coles The Wanamaker Building 100 Penn Square East, Room 714 Philadelphia, PA 19107-3396 (215) 656-6043	Delaware, Maryland, Pennsylvania, Virginia, and New Jersey
4	Thomas Woodall 401 West Peachtree Street Suite 2339 Atlanta, GA 30365-2550 (404) 331-5132	Alabama, Florida, Georgia, Tennessee, Mississippi, North Carolina, and South Carolina
5	Charles Myers, Acting 230 South Dearborn Street Room 3540 Chicago, IL 60604 (312) 353-1496	Illinois, Indiana, Michigan, Ohio, Minnesota, and Wisconsin
6	David McKinley 1500 East Bannister Road Room 2137 Kansas City, MO 64131 (817) 926-7025	Iowa, Kansas, Missouri and Nebraska
7	Trinidad Martinez 819 Taylor Street, Room 14A14 Fort Worth, TX 76102 (817) 334-3559	Arkansas, Texas, Louisiana, and New Mexico
8	Benjamin Gonzales Building 1A, Denver Federal Center P.O. Box 255046 Denver, CO 80225-0006 (303) 236-7931	Colorado, North Dakota, Wyoming, South Dakota, Utah, and Montana
9	Philip Waggoner 525 Market Street, 30th Floor San Francisco, CA 94105	Arizona, Hawaii, California, and Guam Trust

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San Francisco, CA 94105
(415) 744-5090

Arizona, Hawaii,
California, and
Guam Trust
Territory of the
Pacific

10 Walter F. Todd
400 15th Street, SW
Auburn, WA 98001
(206) 931-7529

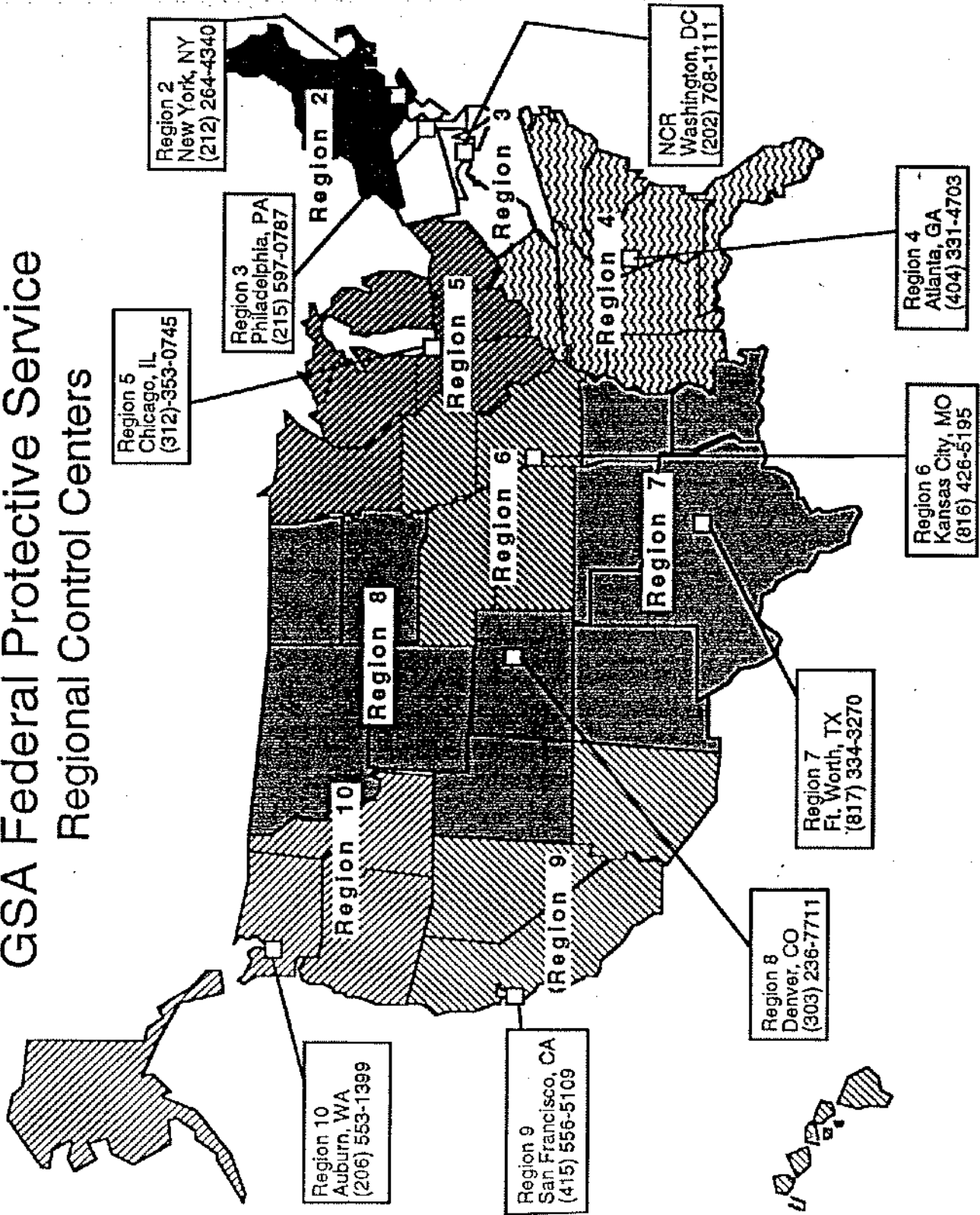
Alaska, Idaho,
Oregon and
Washington

NCR Wulf R. Lindenau
Building 74, Room 200
Southeast Federal Center
Washington, DC 20407
(202) 690-9632

Washington, DC,
Northern Virginia,
and Southern
Maryland

NCR - National Capital Region

GSA Federal Protective Service Regional Control Centers



NOTE: THE GSA REGIONAL CONTROL CENTERS MAY BE NOTIFIED OF EMERGENCY SITUATIONS AND/OR CRIMINAL ACTIVITIES ON A 24-HOUR